



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

400 Seventh St., S.W.  
Washington, D.C. 20590

**SEP 29 2003**

DOT-E 13211

EXPIRATION DATE: August 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Avecia Inc.  
Wilmington, DE
2. PURPOSE AND LIMITATION:
  - a. This exemption authorizes the transportation in commerce of certain nitroglycerin solutions in alcohol in UN4GV certified combination packages. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.102 (c) (5) Special Provision N8 in that the alternative packaging prescribed in this exemption is authorized.
5. BASIS: This exemption is based on the application of Avecia Inc. dated February 21, 2003 submitted in accordance with § 107.105 and the public proceeding thereon.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identi- fication Number	Packing Group
Nitroglycerin, solution in alcohol with more than 1% but not more than 5% nitroglycerin.	3	UN3064	PG II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The prescribed packaging is a combination package certified as a UN4GV/X14/S/\*\*/USA/+AC1604 manufactured by HAZMATPAK, consisting of:

(1) A UN4G double wall fiberboard box with a minimum burst strength of 275 lb and a minimum ECT of 51 as specified in Wylie Laboratories Test Report Number 44160-02+AC1604. The outer dimensions of the box are approximately 10 1/2" x 10 1/2" x 18". The fiberboard box contains:

(i) A one gallon HDPE plastic inner bottle. When the bottle is closed the cap of the bottle must be held securely in place by tape. The closed bottle is placed in:

(ii) A 4 mil polyethylene bag with a minimum of 1 layer of absorbent material bonded to the interior of the bag. The bag is securely closed with a twist or cable tie. The absorbent must be of sufficient quantity to be capable of absorbing all of the liquid in the package.

(iii) The 4G box must contain sufficient dunnage to ensure the bottle and bag are held securely and there is not excessive movement within the box.

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8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modification or change is made to the package or its contents and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, cargo vessel, and cargo aircraft only.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel or aircraft used to transport packages covered by this exemption. The shipper must furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



fn Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

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(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.  
Attention: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO:DB